

CLEAN AIR ACT7-43. Noncompliance Penalty: Granting of Exemptions

1. **AUTHORITY.** Pursuant to Section 120(a)(2)(B) the Clean Air Act, to grant any exemptions from noncompliance penalties mandated by Section 120 of the CAA.
2. **TO WHOM REDELEGATED.** Director, Enforcement and Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. Prior to granting an exemption for inability to comply for reasons entirely beyond the owner's control, any official doing so must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance. The AA may waive consultation in writing.
 - b. Any official exercising this authority must obtain prior concurrence from the regional counsel or designee.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCE.** Section 120(a)(2)(B) of the CAA.



Debra H. Thomas
Acting Regional Administrator

APR 29 2019

Date